

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

EQUAL EMPLOYMENT	)	CIV. NO. 05-00479SPK/LEK
OPPORTUNITY COMMISSION,	)	CIV. NO. 05-00496SPK/LEK
	)	(Consolidated Cases)
Plaintiff,	)	
	)	
and	)	
	)	
CHARLES DANIELS,	)	
	)	
Plaintiff - Intervenor,	)	
	)	
vs.	)	
	)	
LOCKHEED MARTIN, dba	)	
LOCKHEED MARTIN LOGISTICS	)	
MANAGEMENT, INC.,	)	
	)	
Defendant.	)	
_____	)	

ORDER OVERRULING OBJECTIONS AND ADOPTING REPORT OF  
SPECIAL MASTER

On August 13, 2007, U.S. Magistrate Judge Leslie E. Kobayashi issued Findings and a Recommendation to Deny Defendant's Motion to Transfer Venue. Defendant has objected under LR 74.2 and 28 U.S.C. § 636(b)(1)(B) (or appealed under LR 74.1 and 28 U.S.C. § 636(b)(1)(A)).

Having fully reviewed the comprehensive filings on this matter, the Court **OVERRULES** the objections and **ADOPTS** Judge Kobayashi's Findings and

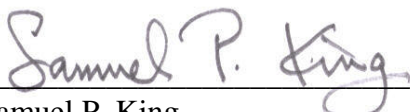
Recommendation. Regardless of the standard of review (i.e., whether “clearly erroneous/contrary to law,” or de novo), the Court’s conclusion would be the same. The Court is convinced that the Defendant’s Motion to Transfer Venue should be denied. Taking into account all the relevant factors (timing of the motion, choice of forum by both Plaintiffs, convenience of witnesses and parties, the contacts with the forum, the governing law, relative financial burden, and “interests of justice”) as discussed in detail by Judge Kobayashi, the balance of the factors weighs in favor of the action remaining on this Court’s docket in this District. The Motion is therefore DENIED both as untimely and on the merits.

As recommended by Judge Kobayashi, Defendant’s Motion to Transfer Venue is DENIED.

IT IS SO ORDERED.

DATED: September 19, 2007.



  
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Samuel P. King  
Senior United States District Judge